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March 18, 2008

**FACSIMILE (914) 390-4152**

Honorable Judge Kenneth M. Karas  
United States District Judge  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

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Re: Trustees of the District Council 9, et al. v. J.M. Charles Painting Corp.  
Index No.: 08-CIV-0187 (KMK)  
Court Conference – Friday, May 9, 2008 at 12:30 p.m.

Dear Honorable Judge Karas:

This office represents the plaintiffs in the above matter. This letter makes reference to the court conference scheduled for Friday, May 9, 2008 at 12:30 p.m.

This matter involves the enforcement of a Collective Bargaining Agreement, more specifically, the Funds right to audit the books and records of an Employer. As previously informed the defendant Employer allowed the audit and reviewed the findings. The defendants have recently submitted a written rebuttal and the plaintiffs' fund auditors are in the process of reviewing the rebuttal. Additional time is needed by the fund auditors to review the rebuttal and make any adjustments to the audit findings.

Both parties on consent respectfully request an adjournment of the court conference to a date in July 2008 that is mutually convenient to the Court. This is the second request for an adjournment of the conference date.

Kindly advise this office of the Court's decision regarding our request.

Thank you for your assistance and courtesies.

(conference is adjourned until July 16, 2008,  
at 12:00

So Ordered.  
MAK

Very truly yours,

BARNES, IACCARINO, VIRGINIA,  
AMBINDER & SHEPHERD, PLLC

Dawn Stefanik  
Paralegal

cc: Stephen Boonshoft, Esq., via facsimile (212) 603-6300  
Attorney for Defendant

5/2/08